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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/730,144

12/05/2000

Joseph A. Burich

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48940

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04/19/2005

KRAFT / FETF

120 S. LASALLE STREET

SUITE 1600

CHICAGO, IL 60603-3406

EXAMINER

WORJLOH, JALATEE

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,144

Applicant(s)

BURICH, JOSEPH A.

Examiner

Jalatee Worjloh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 15-17 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 18-20 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is responsive to the amendment filed on January 24, 2005, in which claims 1,3, and 21 were amended.

Response to Arguments

2. Applicant's arguments filed January 24, 2005 have been fully considered but they are not persuasive.

Applicant argues that Peterson et al. do not disclose "member information regarding products is stored and accessible both in a central storage database and in a distributed fashion". However, claim 15 does not clearly disclose this feature; therefore, claim 15 remains rejected in view of Peterson et al.

Claim Rejections - 35 USC § 103

3. Claims 15-17, 21,22, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6115641 to Brown et al. and O'Neil et al. in view of Mehring et al.

Brown et al. disclose a central storage storing product information for products related to a common industry, remotely connected computers through which members interface to the information management system, and a specification storage storing specifications for ones of said products, stored said specification being selectively provided to ones of said interfacing members (see abstract). Brown et al. do not expressly disclose a web server interfacing members

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with selected product information stored in said central storage, a security policy server, selecting product information available to each member, an app server, a policy server or a database server. O'Neil et al. disclose a web server interfacing members with selected product information stored in said central storage (see col. 26, lines 44-51; col. 4, lines 25-33) and a database server, said database server storing and managing member information, procedures and functions, and providing selected stored information responsive to appropriate request from authorized members (see col. 17, lines 14-43). Mehring et al. disclose an app server storing applications for use by members and selectively executing stored applications responsive to selected member requests from said web server (see col. 12, lines 30-35), a security policy server, selecting product information available to each member storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of authorization of a corresponding member (see col. 10, lines 4-20; col. 19, lines 13-28; col. 20, lines 1-19). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Brown et al. a web server, security policy server, app server and a database server. One of ordinary skill in the art would have been motivated to do this because it provides a system for limiting user access to system documentation/product stored at an online central service facility (see Mehring et al. col. 2, lines 3-5).

Referring to claims 21 and 22, Brown et al. an information system (see claim 15 above). Brown et al. do not expressly disclose billing means for tracking member use, deriving member bills from member use and billing individuals ones of said members, said billing means collecting revenues from billed members. O'Neil et al. disclose billing means (i.e.

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“LivePaymentServer”) for tracking member use, deriving member bills from member use and billing individuals ones of said members, said billing means collecting revenues from billed members (see col.2 1, lines 37-62). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Brown et al. to include billing means ” for tracking member use, deriving member bills from member use and billing individuals ones of said members, said billing means collecting revenues from billed members. One of ordinary skill in the art would have been motivated to do this because it is an effective means for gaining fees to support operation and maintenance expensive.

Referring to claims 23 and 24, Brown et al. disclose storing products information for products related to a common industry. Brown et al. do not expressly disclose the members of said system are members of food industry; wherein said food industry members include suppliers, manufactures an customers. However, this difference is only found in the nonfunctional descriptive material and is not functionally involved in the steps recited. The members accessing member information step would be performed the same regardless of the type of members. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 (USPQ 401,404 (Fed. Cir. 1983); *In re Lowry*, 32F.3d 1579, 32 USPQ2d 1031 (Fed. Cir 1994). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow members to access other members information in any type of industry because such data does not functionally relate to the steps in the method claimed.

Referring to claims 25, 27 and 28, Brown et al. disclose member accessible information (see claim 15 above). Brown et al. do not expressly disclose wherein one or more specification are stored on member computers, member computers being remotely connected to said information system, the location of remotely stored said specification being stored on said information system; wherein one or more specifications are stored in said central storage and wherein one or more specification are stored in said central storage. O'Neil et al. disclose one or more specification are stored on member computers, member computers being remotely connected to said information system, the location of remotely stored said specification being stored on said information system; wherein one or more specifications are stored in said central storage and wherein one or more specification are stored in said central storage (see col. 14, lines 53-65). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by to include one or more specification are stored on member computers, member computers being remotely connected to said information system, the location of remotely stored said specification being stored on said information system; wherein one or more specifications are stored in said central storage and wherein one or more specification are stored in said central storage. One of ordinary skill in the art would have been motivated to do this because it effectively stores the data for easy retrieval.

Allowable Subject Matter

4. Claims 1-14 are allowed.

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5. Claims 18-20 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (**particularly the feature of claims 18 and 26**).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent No. 6847938 to Moore discloses a method of exchanging goods over the Internet.
- WO 98/4442 to Guzelsu discloses a method and system for standardizing and reconciling invoices from vendors.
- “Sharing Your Database with Cross-Platform and Remote Users” to Blair.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is (571) 272-6714. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for Regular/After Final Actions and (571) 273-6714 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450***


Jalatee Worjloh
Patent Examiner

Application/Control Number: 09/730,144

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April 13, 2005



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
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